

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 Count One: 8 U.S.C. §§ 1324(a)(1)(A)(iii) - Harboring illegal
 aliens for commercial advantage or private financial gain

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

 PENALTY: Count One: Maximum 10 years' imprisonment; \$250,000 fine; 3
 years' supervised release; \$100 special assessment; potential
 deportation

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

FILED

DEFENDANT - U.S.

AUG 24 2017

Job Torres Hernandez

 SUSAN Y. SOONG
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND

DISTRICT COURT NUMBER

CR17-00462JSW**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Homeland Security Investigations

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

Name and Office of Person

Furnishing Information on this form Brian J. Stretch

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Shailika S. Kotiya

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior
 summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 * Where defendant previously apprehended on complaint, no new summons or
 warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

FILED

AUG 24 2017

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES OF AMERICA,

V.

CR17-00462

JOB TORRES HERNANDEZ,

JSW

DEFENDANT(S).

INDICTMENT

8 U.S.C. § 1324(a)(1)(A)(iii) and (B)(i) - Harboring Illegal Aliens for Commercial
Advantage or Private Financial Gain;
8 U.S.C. § 1324(b), 18 U.S.C. § 982(a)(6); 24 U.S.C. § 2461(c)- Criminal Forfeiture

A true bill

Denise Law
Foreman

Filed in open court this 24TH day of

August, 2017

[Signature]
Clerk

Bail, \$

8/24/17

no bail needed

Document No.

District Court
Criminal Justice Processing

FILED

AUG 24 2017

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

BRIAN J. STRETCH (CABN 163973)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOB TORRES HERNANDEZ,

Defendant.

No.

CR17-00462-JSW

VIOLATIONS:

8 U.S.C. §§ 1324(a)(1)(A)(iii) and (B)(i) – Harboring
Illegal Aliens for Commercial Advantage or Private
Financial Gain;
8 U.S.C. § 1324(b), 18 U.S.C. § 982(a)(6); 24 U.S.C.
§ 2461(c) – Criminal Forfeiture.

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (8 U.S.C. §§ 1324(a)(1)(A)(iii) and (B)(i))

Beginning at a time unknown to the Grand Jury, but no later than July 18, 2015, and continuing
to the present, in the Northern District of California and elsewhere, the defendant,

JOB TORRES HERNANDEZ,

did knowingly and in reckless disregard of the fact that aliens, namely his employees J.O., G.P., J.N.,
A.C., J.A., and others, had come to, entered, and remained in the United States in violation of law, did
conceal, harbor, and shield from detection such aliens, and attempted to do so, in any place, including
any buildings for the purpose of commercial advantage and private financial gain, in violation of Title 8,
United States Code, Sections 1324(a)(1)(A)(iii) and (B)(i).

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INDICTMENT

1 FORFEITURE ALLEGATION: (8 U.S.C. § 1324(b); 18 U.S.C. § 982(a)(6); 28 U.S.C. § 2461(c) –
2 Criminal Forfeiture)

3 The allegations contained in Count One of this Indictment are incorporated and realleged as if
4 fully set forth here for the purpose of alleging forfeiture pursuant to Title 8, United States Code, Section
5 1324(b), Title 18, United States Code, Section 982(a)(6) and Title 28, United States Code, Section
6 2461(c).

7 Upon a conviction of the offense alleged in Count One of this Indictment, the defendant,

8 JOB TORRES HERNANDEZ,

9 shall forfeit to the United States, pursuant to Title 8, United States Code, Section 1324(b), Title 18,
10 United States Code, Section 982(a)(6), and Title 28, United States Code, Section 2461(c):

- 11 a. Any conveyance, including any vessel, vehicle, or aircraft used in the commission
12 of the offense; and
- 13 b. Any property, real or personal, that constitutes, or is derived from or is traceable
14 to the proceeds obtained directly or indirectly from the commission of the offense,
15 or that was used to facilitate, or was intended to be used to facilitate, the
16 commission of the offense.

17 If any of the property described in any of the forfeiture allegations above, as a result of any act or
18 omission of the defendant:

- 19 a. cannot be located upon the exercise of due diligence;
- 20 b. has been transferred or sold to or deposited with, a third person;
- 21 c. has been placed beyond the jurisdiction of the Court;
- 22 d. has been substantially diminished in value; or
- 23 e. has been commingled with other property which cannot be divided without
24 difficulty;

25 the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States
26 Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b)(1).

27 All pursuant to Title 8, United States Code, Section 1324(b), Title 18, United States Code,

28 //

Sections 981(d) and 982(a)(6), Title 28, United States Code, Section 2461(c), and Rule 32.2 of the Federal Rules of Criminal Procedure.

DATED:

Aug 24, 2017


A TRUE BILL.


FOREPERSON

BRIAN J. STRETCH
United States Attorney



ELISE BECKER
Deputy Chief, Criminal Division

(Approved as to form: )

AUSA SHAILIKA S. KOTIYA